

AGN. NO. _____

MOTION BY SUPERVISOR YVONNE B. BURKE
REVISED ITEM 16

MAY 23, 2006

With a workforce of nearly 100,000 employees, the County of Los Angeles is one of the largest employers in Southern California. Due to the sensitive nature of some of its employment positions, it is essential that County departments screen potential employment applicants for any criminal background that could call into question the candidate's ability to handle sensitive information and valuable public property. This is especially true given the large amount of money and enormous volume of confidential information with which some employees will be entrusted. However, while some employment positions require extensive criminal background checks, the fact of the matter is that the current application system may be deterring otherwise qualified and rehabilitated citizens from re-integrating into the workforce and becoming productive public servants.

While the County of Los Angeles certainly should not engage in the practice of hiring hardened criminals to perform sensitive governmental functions, it should be able

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BURKE	_____
YAROSLAVSKY	_____
KNABE	_____
ANTONOVICH	_____

MOTION BY SUPERVISOR YVONNE B. BURKE
MAY 23, 2006
PAGE 2

to evaluate individual employment applications without deterring potential qualified applicants. The current County Employment Application requires a full disclosure of convictions, except those that are exempted by a valid court order. Regardless of whether the conviction would bar an individual from employment, the application requirement for full and upfront disclosure of previous convictions could imply that otherwise qualified and rehabilitated candidates will not be seriously considered for employment.

Therefore, employment applications should not require upfront disclosure of criminal convictions for positions where such history would not hinder the duties of a particular employment position. Instead ***For example, it may be appropriate to require*** disclosure of criminal convictions only after County departments demonstrate an interest in hiring a particular candidate, ~~e.g. the canvassing process, etc.~~ This practical modification would allow the County to continue screening out any questionable individuals while allowing qualified and rehabilitated candidates to rejoin the workforce as productive taxpaying citizens. In keeping with our criminal justice goal of rehabilitation and this Board's existing policy of evaluating employment applications on a case-by-case basis, it is imperative that the "up front" disclosure requirement be modified.

I THEREFORE MOVE THAT the Board of Supervisors request the Chief Administrative Officer, Director of the Department of Human Resources and County

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MOTION BY SUPERVISOR YVONNE B. BURKE
MAY 23, 2006
PAGE 3

Counsel ~~to: 1)~~ eConduct a comprehensive analysis to determine the extent to which departments are inappropriately disqualifying applicants due to prior convictions;
2) as to **Examine** the feasibility of implementing progressive **an** application processes which **does** not deter qualified and rehabilitated individuals from applying for employment. Such review should include but not be limited to examination of the County and City of San Francisco's recently modified employment application process;
3) **Develop recommendations to improve training of human resources personnel in order to eliminate unfair discrimination against qualified and rehabilitated applicants;** and **4) Jointly report back with any recommendations to modify the County's employment application process as described herein within 45 days.**

~~I FURTHER MOVE THAT this Board request the CAO, Director of DHR and County Counsel to jointly report back with an implementation plan and any recommendations to modify the County's employment application process as described herein within 45 days.~~

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